

May 1, 2013

Ronald M. Spritzer, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Randall J. Charbeneau
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

In the Matter of
Detroit Edison Co.
Docket No. 52-033-COL
(Fermi Nuclear Power Plant, Unit 3)

Dear Administrative Judges:

Pursuant to the Board's Order dated September 11, 2009, the Staff herein provides to the Board and the parties as an enclosure to this letter an index identifying additions to the Hearing File, as required to be disclosed by the Staff in accordance with 10 C.F.R. § 2.336(d). The index contains the ADAMS accession number, date, and title of each item so as to make the item readily retrievable from the agency's website, www.nrc.gov, using the ADAMS "Find" function. Additionally, the Staff will add the indexed documents to the folder in the agency's Electronic Hearing Docket ("EHD") associated with this proceeding, entitled "Fermi Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Tekia Govan.

In accordance with the Licensing Board's September 11, 2009, Order, relieving all parties from the obligation of producing privilege logs, as required by 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5), the Staff is not producing privilege logs at this time. In accordance with the September 11 Order, the Staff shall produce a log of documents withheld as containing proprietary information. However, no such documents have been identified at this time. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

/signed (electronically) by/
Kevin C. Roach
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index
Affidavit of Tekia Govan

Attachment 1**Fermi COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 42 – May 1, 2013**

	Accession Number	Document Date	Title / Description
42-1	ML13087A514	09/04/1940	A New Subspecies of the Fox Snake, <i>Elaphe Vulpina</i> Baird and Girard, Roger Conant, HERPETOLOGICA, September 4, 1940.
42-2	ML13087A525	02/08/2000	MDNR Endangered Species Permit Application, Michigan Department of Natural Resources-Wildlife Division.
42-3	ML13087A519	02/07/2013	MDNR Environmental Review Program Announcement.
42-4	ML13087A511	03/06/2013	MDNR Website - Requesting Permits.
42-5	ML13087A516	03/14/2013	Michigan Endangered Species Law, Natural Resources and Environmental Protection Act (Excerpt) Act 451 of 1994, Part 365.
42-6	ML13087A507	03/14/2013	Natural Resources and Environmental Protection Act (EXCERPT) Act451 of 1994, 324.30301: Michigan Wetland Definition.
42-7	ML13088A070	03/29/2013	4/11/2013 - Notice of Forthcoming Meeting to Discuss Open Items and Outstanding Requests for Additional Information Responses Relating to the Detroit Edison Combined License Application for Fermi, Unit 3.
42-8	ML13087A504	04/05/2013	Standard Common and Current Scientific Names for North American Amphibians, Turtles, Reptiles and Crocodilians.
42-9	ML13115A939	04/09/2013	2013/04/09 Fermi COL - RE: 4/11/2013 - NOTICE OF FORTHCOMING MEETING TO DISCUSS OPEN ITEMS AND OUTSTANDING REQUESTS FOR ADDITIONAL INFORMATION RESPONSES RELATING TO THE DETROIT EDISON COMBINED LICENSE APPLICATION FOR FERMI UNIT 3
42-10	ML13115A943	04/15/2013	2013/04/15 Fermi COL - DRAFT RAI Document
42-11	ML13115A944	04/15/2013	2013/04/15 Fermi COL - Re: DRAFT RAI Document
42-12	ML13105A133	04/15/2013	Request For Additional Information Letter No. 85 Related To Chapters 03.07.02 For The Fermi 3 Combined License Application.
42-13	ML13115A948	04/16/2013	2013/04/16 Fermi COL - Fermi 3 - Open Items Public Meeting Summary - Memo To File
42-14	ML13115A945	04/16/2013	2013/04/16 Fermi COL - Fermi RAI 03.07.02-11

42-15	ML13115A950	04/16/2013	2013/04/16 Fermi COL - FW: 4/11/2013 - FERMI UNIT 3 - Questions Pertaining to Discharge and Drinking Water Population
42-16	ML13115A946	04/16/2013	2013/04/16 Fermi COL - Participation List
42-17	ML13115A947	04/16/2013	2013/04/16 Fermi COL - Re: Participation List
42-18	ML13115A952	04/18/2013	2013/04/18 Fermi COL - 4/18/13 Fermi 3 Submittals
42-19	ML13115A973	04/18/2013	2013/04/18 Fermi COL - FW: Fermi RAI 03.07.02-11
42-20	ML13109A427	04/18/2013	DTE Electric Company Submittal of FSAR Markup Associated with the Updated Fermi 3 COLA Review Schedule.
42-21	ML13109A426	04/18/2013	Fermi, Unit 3, Response to NRC Request for Additional Information, Letter No. 84.
42-22	ML13115A974	04/19/2013	2013/04/19 Fermi COL - FW: Document Rejected by the Document Control Desk (DCD)
42-23	ML13115A975	04/19/2013	2013/04/19 Fermi COL - Re: FW: Document Rejected by the Document Control Desk (DCD)

May 1, 2013

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
DETROIT EDISON CO.) Docket No. 52-033-COL
)
(Fermi Nuclear Power Plant, Unit 3))

AFFIDAVIT OF TEKIA GOVAN CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Tekia Govan, do hereby state as follows:

1. I am employed as a Project Manager in the Licensing Branch 3 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve the project manager for the NRC's review of the Combined License application submitted by Detroit Edison Co., at issue in this proceeding.
2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336(d) in the captioned proceeding have been disclosed and that the disclosures are accurate and complete as of April 19, 2012.
3. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

Executed in Accord with 10 CFR § 2.304(d)

Tekia Govan
Project Manager, Licensing Branch 3
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T6-D38M
Washington, DC 20555-0001
(301) 415-6197
Tekia.Govan@nrc.gov

Executed in Rockville, MD
this 1st day of May, 2013

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
)	
DETROIT EDISON CO.)	Docket No. 52-033
)	
)	
(Fermi Nuclear Power Plant, Unit 3))	

CERTIFICATE OF SERVICE

I hereby certify that the NRC Staff letter dated May 1, 2013, providing notice of the availability of an update to the hearing file made pursuant to 10 C.F.R. § 2.336(d), with attachments, together with the affidavit of Tekia Govan, has been filed through the E-Filing system this 1st day of May 2013.

/Signed (electronically) by/

Kevin C. Roach
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U.S. Nuclear Regulatory Commission
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Dated at Rockville, Maryland
This 1st day of May, 2013